

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

**SCOTT JOHNSON,**  
Plaintiff,  
v.

**SOLE RISTORANTE ITALIANO,**  
Defendant.

Case No. 4:21-cv-07591-YGR

**ORDER SETTING ASIDE ENTRY OF  
DEFAULT; CONTINUED ORDER TO SHOW  
CAUSE**

Re: Dkt. No. 16


On June 6, 2022, the Court issued an order to show cause since plaintiff had failed to prosecute this case after receiving entry of default. In response to the order to show cause, the parties filed a stipulation seeking to set aside the entry of default. The parties also stipulate that defendant shall file a responsive pleading within ten days from the date the Court sets aside the entry of default. Given the strong policy to decide cases on the merits, the entry of default is set aside and the defendant shall file any response within ten (10) days from this order.

The parties' stipulation fails to address or mention the pending order to show cause. There is simply no justification in the record for plaintiff's failure to prosecute for nearly six months following the entry of default. Therefore, no later than June 30, 2022, the Potter Handy law firm is **HEREBY ORDERED TO SHOW CAUSE** in writing why they should not be sanctioned \$250.00 for their failure to prosecute the case to date. Failure to respond to the order to show cause will be construed as a concession that no good cause existed to support the delay and that paying the \$250.00 sanction is appropriate.

This Order terminates Docket Number 16.

**IT IS SO ORDERED.**

Dated: June 23, 2022

  
YVONNE GONZALEZ ROGERS  
UNITED STATES DISTRICT JUDGE